

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

WARREN HUDSON, #1135616

§

VS.

§

CIVIL ACTION NO. 5:05cv95

DIRECTOR, TDCJ-CID

§

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. Petitioner filed objections to the Report.

This Court made a *de novo* review of Petitioner's objections and determined that they lack merit. This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that Petitioner's claim of ineffective assistance of counsel based on Texas Code of Criminal Procedure article 38.22 Section 3(a) be **DISMISSED WITHOUT PREJUDICE**, that the remaining claims be **DISMISSED WITH PREJUDICE**, and that Petitioner be **DENIED** a certificate of appealability; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 19th day of April, 2006.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE